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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,466	09/29/2003	Yong-Chae Jeong	P56323A	7958

7590 06/24/2005  
Robert E. Bushnell  
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Washington, DC 20005

EXAMINER

BLOUIN, MARK S

ART UNIT PAPER NUMBER

2653

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>10/671,466</p>	<p><b>Applicant(s)</b></p> <p>JEONG, YONG-CHAE</p>	
	<p><b>Examiner</b></p> <p>Mark Blouin</p>	<p><b>Art Unit</b></p> <p>2653</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 43-63 is/are pending in the application.
- 4a) Of the above claim(s) 44-50 and 61 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 58-60 and 62 is/are allowed.
- 6) ☒ Claim(s) 43,51,54-57 and 63 is/are rejected.
- 7) ☒ Claim(s) 52 and 53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/767,865.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **Detailed Action**

#### ***Response to Amendment***

- The reply filed on June 7, 2005 was applied to the following effect: Claims 44-50 and 61 were cancelled, Claims 43,52,53,58-60, and 62 were amended, and Claim 63 was added.

#### ***Continued Prosecution Application***

1. The request filed on September 29, 2003 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(b) based on parent Application No. 09/767,865 is acceptable and a CPA has been established. An action on the CPA follows.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 43,54,55, and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by Nishida (USPN 5,831,769).
4. Regarding Claims 43,54, and 63, Nishida shows (Figs. 1-5 and 11B), a main base for use in a head drum assembly mounting structure on a deck of a tape recorder, the main base comprising a discontinuous central portion (30), and an outer portion (20) surrounding the central portion, wherein the central portion is discontinuous so as to have a hole disposed therein for receiving a protrusion (3) extending from a lower portion of the head drum assembly (1), and wherein the central portion is discontinuous so as to have at least two screw holes (31a,32)

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formed therein for receiving respective screws which pass through the screw holes and are screwed into the lower portion of the head drum assembly, wherein the central portion is connected on one side to the outer portion by a downwardly slanted portion of the central portion, and the central portion is connected on another side to the outer portion by an upwardly slanted portion (Fig. 2A,  $\theta$ ) of the central portion, whereby the central portion is oriented at an angle (Fig. 2A,  $\theta$ ) with respect to the outer portion, wherein a positioning means (Fig. 11B, 57) extends upward from the central portion for insertion into a positioning hole (Fig. 11B, 56b) formed in a lower portion of the head drum assembly so as to position the main base relative to the head drum assembly.

5. Regarding Claim 55, Nishida shows (Figs. 1-5 and 11B), the main base, further comprising a positioning pin (Fig. 11B, 57) extending upward from the upwardly slanted portion of the central portion for insertion into a positioning hole (Fig. 11B, 56b) formed in the lower portion of the head drum assembly.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 51, 56, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishida (USPN 5,831,769) in view of Besnard et al (USPN 5,867,349).

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8. Regarding Claims 51,56, and 57, Nashida shows (Figs. 1-5 and 11B), all the features described, *supra*, but does not show the main base, wherein the central portion is formed with the outer portion into one piece.

Besnard et al shows (Fig. 2a) the main base, wherein the central portion (11) is formed with the outer portion (1) into one piece.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the apparatus for fixing a head cylinder of Nashida with the one piece configuration as taught by Besnard et al. The rationale is as follows: One of ordinary skill in the art at the time the invention was made would have been motivated to provide the apparatus for fixing a head cylinder of Nashida with the one piece configuration as taught by Besnard et al in order reduce parts, manufacturing costs, and assembly time.

### ***Response to Arguments***

9. Applicant's arguments filed February 16, 2005 have been fully considered but they are not persuasive.

Applicant asserts on Pages 9-10 :

*"...a review of Figure 1 of the patent does not reveal any upwardly slanted portion of the elastic plate (30). ... the Greek letter  $\theta$  refers to an angle, and not to an element contained in Figure 2A."*

The Examiner maintains that the elastic plate (30) clearly slants and that the angle  $\theta$  is referred to merely to show that the central portion is indeed slanted relative to the base. As for the terms "upwardly slanted portion" or "downwardly slanted portion", the Examiner interprets the term "portion" broadly as being any part of the elastic plate that slants. Also, the Examiner

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interprets any slanting portion as slanting both upwardly or downwardly depending on one's perspective. Therefore, the rejection of Claims 43, 51, 54-57, and 63 are upheld.

***Allowable Subject Matter***

10. Claims 58-60 are allowed.

11. Claims 52 and 53 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

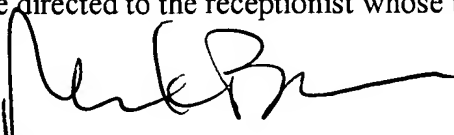
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Mark Blouin  
Patent Examiner  
Art Unit 2653  
June 20, 2005

A. J. HEINZ  
PRIMARY EXAMINER  
GROUP ~~2653~~ A. U. 2653

